IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.52 OF 2004
IN
EXECUTION APPLICATION NO.114 NO.OF 2003
IN
MUMBAI D.J.R. CO.-OP. APPLICATION NO.16 OF 2002

Citizen Co-Op. Bank Ltd. ...Applicants

V/s.

M/s.Jojo Construction Pvt.Ltd.& Ors. ...Respondents

Mr.R.N. Singh i/b Singh & Co. for the Applicants.

Mr.Shriram S. Kulkarni for Respondent Nos.1 and 2.

CORAM : S.J. VAZIFDAR, J.
DATED : 30TH AUGUST, 2004.

P.C. :

1. The Sheriff of Bombay is directed in the first instance, if it is possible legally and practically, to sell only such part of the property as he may determine to be sufficient for the purpose of realising a decretal amount. Subject to this, ad-interim order dated 30th April, 2004 is vacated. The Sheriff of Bombay shall inform all parties of the extent of the property he intends putting to sale.

2. This order and any steps taken in execution are without prejudice to the all the rights and contentions of the parties regarding the maintainability of the proceedings.

3. The Chamber Summons is made returnable in normal course.

. Parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar / Court Stenographer of this Court.